

Application No.: 10/698,643
Docket No.: BA9263 US DIV

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REMARKS

Claims 1-16, 21-37, 42 and 43 are pending in the present application. Claims 1, 6-8, 22, 27-29 and 43 stand rejected, and Claims 9-16, 21, 30-37 and 42 are objected to. The specification has been amended to insert a cross-reference to related applications. The specification was also amended to correct an error in the column headings for Index Tables A-M. The R² and R³ columns headings were inadvertently switched (except for compounds 64, D220, D238 and D239). This is an obvious error in view of the definitions of R² and R³. Claims 1, 7-10, 21-22, 28-31 and 42 were amended; claims 2-5 and 23-26 were withdrawn; and claims 6, 17-20, 27 and 38-41 were canceled. Reconsideration is respectfully requested in view of the amendments and remarks herein.

Claims 1-16, 21-37, 42 and 43 were objected on the grounds that the claims were drawn to an improper Markush group. The improper Markush groups were identified as J, R¹, R², R³ and R⁴.

Since the examined subject matter includes a compound of Formula I wherein J is a 6-membered heteroaromatic ring, Applicants have amended the claims in view of the examined subject matter.

Claims 1, 6-8, 22, 27-29 and 43 were rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-22 of prior U.S. Patent No. 6,747,047.

Applicants have amended the present application to remove the subject matter allowed in the parent application.

Claims 9-16, 21, 30-37 and 42 were objected to as being dependent upon a rejected base claim.

In view of the amendments herein, it is Applicants' belief that the rejected base claims are now in condition for allowance and the objection to these dependent claims is now moot.

Applicants acknowledge the Examiner's consideration of the Information Disclosure Statement filed October 31, 2003 and the finding of no references that teach or suggest structurally similar compounds as those instantly claimed.

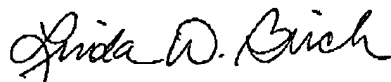
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In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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